

(3) Senate Resolution 275, 112th Congress, agreed to September 26, 2011;

(4) Senate Resolution 519, 112th Congress, agreed to August 1, 2012;

(5) Senate Resolution 164, 113th Congress, agreed to September 18, 2013;

(6) Senate Resolution 417, 113th Congress, agreed to July 9, 2014;

(7) Senate Resolution 213, 114th Congress, agreed to September 25, 2015;

(8) Senate Resolution 560, 114th Congress, agreed to November 16, 2016;

(9) Senate Resolution 314, 115th Congress, agreed to October 30, 2017;

(10) Senate Resolution 682, 115th Congress, agreed to October 11, 2018;

(11) Senate Resolution 377, 116th Congress, agreed to October 30, 2019;

(12) Senate Resolution 741, 116th Congress, agreed to September 30, 2020; and

(13) Senate Resolution 438, 117th Congress, agreed to February 25, 2022; and

Whereas those patriotic men and women deserve to be recognized for the contributions, services, and sacrifices they made for the defense of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 30, 2022, as a national day of remembrance for the workers of the nuclear weapons program of the United States, including the uranium miners, millers, and haulers, plutonium processors, and onsite participants at atmospheric nuclear weapons tests; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate October 30, 2022, as a national day of remembrance for past and present workers of the nuclear weapons program of the United States.

SENATE RESOLUTION 786—RECOGNIZING THE HISTORY OF WOMEN'S PROFESSIONAL BASEBALL IN INDIANA

Mr. BRAUN submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 786

Whereas the All American Girls Professional Baseball League (referred to as the “League”) has significant history in Indiana and the History Museum in South Bend holds the largest collection of memorabilia from the League;

Whereas the League was established during World War II to provide a morale boost and family entertainment to aid in the war effort and gained popularity throughout the 1940s;

Whereas, in 1943, South Bend, Indiana became the fourth city to have a team competing in the League, the first women's professional baseball league in the history of the United States;

Whereas South Bend was home to the Blue Sox for all 12 years of the existence of the League and the Blue Sox played at Bendix Field and Playland Park in South Bend, Indiana;

Whereas Fort Wayne was eager to bring a team to the city and the Fort Wayne Daisies debuted in 1945, with games held at North Side High School and later Memorial Park in Fort Wayne;

Whereas the South Bend Blue Sox were both the League and playoff champions for the 1951 season and were the playoff champions for the 1952 season;

Whereas the Fort Wayne Daisies were the league champions for the 1952, 1953, and 1954 seasons;

Whereas Dorothy “Dottie” Schroeder was the only woman who played all 12 seasons in the League and became a favorite player of fans of the South Bend Blue Sox, the Kenosha Comets, the Fort Wayne Daisies, and the Kalamazoo Lassies;

Whereas the 1992 American sports comedy-drama film about the League, “A League of Their Own” was partially filmed in Indiana and was added to the National Film Registry by the Library of Congress in 2012;

Whereas scenes from “A League of Their Own” of home games of the Rockford Peaches were filmed at League Stadium in Huntingburg, Indiana; and

Whereas the championship game between Rockford and Racine in “A League of Their Own” was filmed at Bosse Field in Evansville, Indiana, which is the third oldest baseball park in the country still in use for professional baseball, behind only Fenway Park and Wrigley Field: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that Indiana played a significant role in the history of the All American Girls Professional Baseball League during the existence of the league through the successful teams in Indiana: the South Bend Blue Sox and the Fort Wayne Daisies; and

(2) encourages people throughout Indiana to continue to honor and recognize the history and legacy of women's professional baseball through preservation of memorabilia, facilities, and events that highlight the era of such professional athletes.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5507. Mr. LEE (for Mr. LEAHY (for himself and Mr. LEE)) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 5508. Mr. SCHUMER submitted an amendment intended to be proposed by him to the resolution of ratification to Treaty Doc. 117-1, Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (the “Kigali Amendment”); which was ordered to lie on the table.

SA 5509. Mr. SCHUMER submitted an amendment intended to be proposed by him to the resolution of ratification to Treaty Doc. 117-1, supra; which was ordered to lie on the table.

SA 5510. Mr. SHELBY submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 5511. Mr. CASSIDY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 5512. Mr. TOOMEY submitted an amendment intended to be proposed to

amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 5513. Mr. TOOMEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 5514. Mr. TOOMEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 5515. Mr. BLUNT (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 5516. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 5517. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5507. Mr. LEE (for Mr. LEAHY (for himself and Mr. LEE)) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—USA FREEDOM Extension and Amici Curiae Reform Act of 2022

SEC. 1081. SHORT TITLE.

This subtitle may be cited as the “USA FREEDOM Extension and Amici Curiae Reform Act of 2022”.

SEC. 1082. AMENDMENTS TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

Except as otherwise expressly provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

SEC. 1083. APPOINTMENT OF AMICI CURIAE AND ACCESS TO INFORMATION.

(a) EXPANSION OF APPOINTMENT AUTHORITY.—

(1) IN GENERAL.—Section 103(i)(2) (50 U.S.C. 1803(i)(2)) is amended—

(A) by striking subparagraph (A) and inserting the following:

“(A) shall appoint 1 or more individuals who have been designated under paragraph (1), not fewer than 1 of whom possesses privacy and civil liberties expertise, unless the

court finds that such a qualification is inappropriate, to serve as amicus curiae to assist the court in the consideration of any application or motion for an order or review that, in the opinion of the court—

“(i) presents a novel or significant interpretation of the law, unless the court issues a finding that such appointment is not appropriate;

“(ii) presents significant concerns with respect to the activities of a United States person that are protected by the first amendment to the Constitution of the United States, unless the court issues a finding that such appointment is not appropriate;

“(iii) presents or involves a sensitive investigative matter, unless the court issues a finding that such appointment is not appropriate;

“(iv) presents a request for approval of a new program, a new technology, or a new use of existing technology, unless the court issues a finding that such appointment is not appropriate;

“(v) presents a request for reauthorization of programmatic surveillance, unless the court issues a finding that such appointment is not appropriate; or

“(vi) otherwise presents novel or significant civil liberties issues, unless the court issues a finding that such appointment is not appropriate; and”;

(B) in subparagraph (B), by striking “an individual or organization” each place the term appears and inserting “1 or more individuals or organizations”.

(2) DEFINITION OF SENSITIVE INVESTIGATIVE MATTER.—Section 103(i) (50 U.S.C. 1803(i)) is amended by adding at the end the following:

“(12) DEFINITION.—In this subsection, the term ‘sensitive investigative matter’ means—

“(A) an investigative matter involving the activities of—

“(i) a domestic public official or political candidate, or an individual serving on the staff of such an official or candidate;

“(ii) a domestic religious or political organization, or a known or suspected United States person prominent in such an organization; or

“(iii) the domestic news media; or

“(B) any other investigative matter involving a domestic entity or a known or suspected United States person that, in the judgment of the applicable court established under subsection (a) or (b), is as sensitive as an investigative matter described in subparagraph (A).”.

(b) AUTHORITY TO SEEK REVIEW.—Section 103(i) (50 U.S.C. 1803(i)), as amended by subsection (a) of this section, is amended—

(1) in paragraph (4)—

(A) in the paragraph heading, by inserting “; AUTHORITY” after “DUTIES”;

(B) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and adjusting the margins accordingly;

(C) in the matter preceding clause (i), as so designated, by striking “the amicus curiae shall” and inserting the following: “the amicus curiae—

“(A) shall”;

(D) in subparagraph (A)(i), as so designated, by inserting before the semicolon at the end the following: “, including legal arguments regarding any privacy or civil liberties interest of any United States person that would be significantly impacted by the application or motion”; and

(E) by striking the period at the end and inserting the following: “; and

“(B) may seek leave to raise any novel or significant privacy or civil liberties issue relevant to the application or motion or other issue directly impacting the legality of the proposed electronic surveillance with the

court, regardless of whether the court has requested assistance on that issue.”;

(2) by redesignating paragraphs (7) through (12) as paragraphs (8) through (13), respectively; and

(3) by inserting after paragraph (6) the following:

“(7) AUTHORITY TO SEEK REVIEW OF DECISIONS.—

“(A) FISA COURT DECISIONS.—

“(i) PETITION.—Following issuance of an order under this Act by the Foreign Intelligence Surveillance Court, an amicus curiae appointed under paragraph (2) may petition the Foreign Intelligence Surveillance Court to certify for review to the Foreign Intelligence Surveillance Court of Review a question of law pursuant to subsection (j).

“(ii) WRITTEN STATEMENT OF REASONS.—If the Foreign Intelligence Surveillance Court denies a petition under this subparagraph, the Foreign Intelligence Surveillance Court shall provide for the record a written statement of the reasons for the denial.

“(iii) APPOINTMENT.—Upon certification of any question of law pursuant to this subparagraph, the Court of Review shall appoint the amicus curiae to assist the Court of Review in its consideration of the certified question, unless the Court of Review issues a finding that such appointment is not appropriate.

“(B) FISA COURT OF REVIEW DECISIONS.—An amicus curiae appointed under paragraph (2) may petition the Foreign Intelligence Surveillance Court of Review to certify for review to the Supreme Court of the United States any question of law pursuant to section 1254(2) of title 28, United States Code.

“(C) DECLASSIFICATION OF REFERRALS.—For purposes of section 602, a petition filed under subparagraph (A) or (B) of this paragraph and all of its content shall be considered a decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review described in paragraph (2) of section 602(a).”.

(c) ACCESS TO INFORMATION.—

(1) APPLICATION AND MATERIALS.—Section 103(i)(6) (50 U.S.C. 1803(i)(6)) is amended by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—

“(i) RIGHT OF AMICUS.—If a court established under subsection (a) or (b) appoints an amicus curiae under paragraph (2), the amicus curiae—

“(I) shall have access, to the extent such information is available to the Government, to—

“(aa) the application, certification, petition, motion, and other information and supporting materials, including any information described in section 901, submitted to the Foreign Intelligence Surveillance Court in connection with the matter in which the amicus curiae has been appointed, including access to any relevant legal precedent (including any such precedent that is cited by the Government, including in such an application);

“(bb) an unredacted copy of each relevant decision made by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review in which the court decides a question of law, without regard to whether the decision is classified; and

“(cc) any other information or materials that the court determines are relevant to the duties of the amicus curiae; and

“(II) may make a submission to the court requesting access to any other particular materials or information (or category of materials or information) that the amicus curiae believes to be relevant to the duties of the amicus curiae.

“(ii) SUPPORTING DOCUMENTATION REGARDING ACCURACY.—The Foreign Intelligence Surveillance Court, upon the motion of an amicus curiae appointed under paragraph (2) or upon its own motion, may require the Government to make available the supporting documentation described in section 902.”.

(2) CLARIFICATION OF ACCESS TO CERTAIN INFORMATION.—Section 103(i)(6) (50 U.S.C. 1803(i)(6)) is amended—

(A) in subparagraph (B), by striking “may” and inserting “shall”; and

(B) by striking subparagraph (C) and inserting the following:

“(C) CLASSIFIED INFORMATION.—An amicus curiae designated or appointed by the court shall have access, to the extent such information is available to the Government, to unredacted copies of each opinion, order, transcript, pleading, or other document of the Foreign Intelligence Surveillance Court and the Foreign Intelligence Surveillance Court of Review, including, if the individual is eligible for access to classified information, any classified documents, information, and other materials or proceedings.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act and shall apply with respect to proceedings under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) that take place on or after, or are pending on, that date.

SEC. 1084. DECLASSIFICATION OF SIGNIFICANT DECISIONS, ORDERS, AND OPINIONS.

(a) MATTERS COVERED.—Section 602 (50 U.S.C. 1872) is amended—

(1) by striking “Subject to subsection (b)” and inserting “(1) Subject to subsection (b)”;

(2) by striking “includes a significant” and all that follows through “, and,” and inserting “is described in paragraph (2) and,”; and

(3) by adding at the end the following: “(2) The decisions, orders, or opinions issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review described in this paragraph are such decisions, orders, or opinions that—

“(A) include a significant construction or interpretation of any provision of law, including any novel or significant construction or interpretation of the term ‘specific selection term’; or

“(B) result from—

“(i) a proceeding in which an amicus curiae has been appointed pursuant to section 103(i);

“(ii) a proceeding in the Foreign Intelligence Court of Review resulting from the petition of an amicus curiae under section 103(i)(7); or

“(iii) a proceeding in which an amicus curiae could have been appointed pursuant to section 103(i)(2)(A).”.

(b) APPLICATION OF REQUIREMENT.—

(1) IN GENERAL.—Section 602 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1872), as amended by this section, shall apply with respect to each decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review before, on, or after the date of enactment of that section.

(2) PAST DECISIONS, ORDERS, AND OPINIONS.—With respect to each decision, order, or opinion described in paragraph (1) that was issued before or on the date of enactment referred to in that paragraph, the Director of National Intelligence shall complete the declassification review and public release of the decision, order, or opinion pursuant to section 602 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1872) by not later than 1 year after the date of enactment of this Act.

SEC. 1085. DISCLOSURE OF RELEVANT INFORMATION; CERTIFICATION REGARDING ACCURACY PROCEDURES.

(a) DISCLOSURE OF RELEVANT INFORMATION.—

(1) IN GENERAL.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following:

“TITLE IX—DISCLOSURE OF RELEVANT INFORMATION**“SEC. 901. DISCLOSURE OF RELEVANT INFORMATION.**

“The Attorney General or any other Federal officer making an application for a court order under this Act shall provide the court with—

“(1) all information in the possession of the Government that is material to determining whether the application satisfies the applicable requirements under this Act, including any exculpatory information; and

“(2) all information in the possession of the Government that might reasonably—

“(A) call into question the accuracy of the application or the reasonableness of any assessment in the application conducted by the department or agency on whose behalf the application is made; or

“(B) otherwise raise doubts with respect to the findings that are required to be made under the applicable provision of this Act in order for the court order to be issued.”.

(2) TECHNICAL AMENDMENT.—The table of contents of the Foreign Intelligence Surveillance Act of 1978 is amended by adding at the end the following:

“TITLE IX—DISCLOSURE OF RELEVANT INFORMATION

“Sec. 901. Disclosure of relevant information.”.

(b) CERTIFICATION REGARDING ACCURACY PROCEDURES.—

(1) IN GENERAL.—Title IX of the Foreign Intelligence Surveillance Act of 1978, as added by subsection (a), is amended by adding at the end the following:

“SEC. 902. CERTIFICATION REGARDING ACCURACY PROCEDURES.

“(a) DEFINITION.—In this section, the term ‘accuracy procedures’ means specific procedures, adopted by the Attorney General, to ensure that an application for a court order under this Act, including any application for renewal of an existing order, is accurate and complete, including procedures that ensure, at a minimum, that—

“(1) the application reflects all information that might reasonably call into question the accuracy of the information or the reasonableness of any assessment in the application, or otherwise raises doubts about the requested findings;

“(2) the application reflects all material information that might reasonably call into question the reliability and reporting of any information from a confidential human source that is used in the application;

“(3) a complete file documenting each factual assertion in an application is maintained;

“(4) the applicant coordinates with the appropriate elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), concerning any prior or existing relationship with the target of any surveillance, search, or other means of investigation, and discloses any such relationship in the application;

“(5) before any application targeting a United States person is made, the applicant Federal officer shall document that the officer has collected and reviewed for accuracy and completeness supporting documentation for each factual assertion in the application; and

“(6) the applicant Federal agency establish compliance and auditing mechanisms on an annual basis to assess the efficacy of the accuracy procedures that have been adopted and report such findings to the Attorney General.

“(b) STATEMENT AND CERTIFICATION OF ACCURACY PROCEDURES.—Any Federal officer making an application for a court order under this Act shall include with the application—

“(1) a description of the accuracy procedures employed by the officer or the officer’s designee; and

“(2) a certification that the officer or the officer’s designee has collected and reviewed for accuracy and completeness—

“(A) supporting documentation for each factual assertion contained in the application;

“(B) all information that might reasonably call into question the accuracy of the information or the reasonableness of any assessment in the application, or otherwise raises doubts about the requested findings; and

“(C) all material information that might reasonably call into question the reliability and reporting of any information from any confidential human source that is used in the application.

“(c) NECESSARY FINDING FOR COURT ORDERS.—A judge may not enter an order under this Act unless the judge finds, in addition to any other findings required under this Act, that the accuracy procedures described in the application for the order, as required under subsection (b)(1), are actually accuracy procedures as defined in this section.”.

(2) TECHNICAL AMENDMENT.—The table of contents of the Foreign Intelligence Surveillance Act of 1978, as amended by subsection (a), is amended by inserting after the item relating to section 901 the following:

“Sec. 902. Certification regarding accuracy procedures.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act and shall apply with respect to applications under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) that are made on or after, or are pending on, that date.

SEC. 1086. ANNUAL REPORTING ON ACCURACY AND COMPLETENESS OF APPLICATIONS.

Section 603 (50 U.S.C. 1873) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

“(e) ANNUAL REPORT BY DOJ INSPECTOR GENERAL ON ACCURACY AND COMPLETENESS OF APPLICATIONS.—

“(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ‘appropriate committees of Congress’ means—

“(A) the Committee on the Judiciary and the Select Committee on Intelligence of the Senate; and

“(B) the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives.

“(2) REPORT.—In April of each year, the Inspector General of the Department of Justice shall submit to the appropriate committees of Congress and make public, subject to a declassification review, a report setting forth, with respect to the preceding calendar year, the following:

“(A) A summary of all accuracy or completeness reviews of applications submitted to the Foreign Intelligence Surveillance Court by the Federal Bureau of Investigation.

“(B) The total number of applications reviewed for accuracy or completeness.

“(C) The total number of material errors or omissions identified during such reviews.

“(D) The total number of nonmaterial errors or omissions identified during such reviews.

“(E) The total number of instances in which facts contained in an application were not supported by documentation that existed in the applicable file being reviewed at the time of the accuracy review.”.

SA 5508. Mr. SCHUMER submitted an amendment intended to be proposed by him to the resolution of ratification to Treaty Doc. 117–1, Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (the “Kigali Amendment”); which was ordered to lie on the table; as follows:

On page 1, line 3, strike “1” and insert “2”.

SA 5509. Mr. SCHUMER submitted an amendment intended to be proposed by him to the resolution of ratification to Treaty Doc. 117–1, Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (the “Kigali Amendment”); which was ordered to lie on the table; as follows:

On page 1, line 3, strike “2 days” and insert “3 days”.

SA 5510. Mr. SHELBY submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1276. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.

(a) ESTABLISHMENT AND OPERATION OF CENTER.—

(1) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by inserting after section 182 the following new section:

“SEC. 182a. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.

“(a) ESTABLISHMENT.—The Secretary of Defense may operate a Center for Excellence in Environmental Security (in this section referred to as the ‘Center’).

“(b) MISSIONS.—(1) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require international assistance and operations that require coordination between the Department of Defense and other agencies.

“(2) The Center shall be used to provide and facilitate education, training, interagency coordination, and research on the following additional matters:

“(A) Management of the consequences of environmental insecurity with respect to—

“(i) access to water, food, and energy;

“(ii) related health matters; and

“(iii) matters relating to when, how, and why environmental stresses to human safety, health, water, energy, and food will cascade to economic, social, political, or national security events.

“(B) Appropriate roles for the reserve components in response to environmental insecurity resulting from natural disasters.

“(C) Meeting requirements for information in connection with regional and global disasters, including the use of advanced communications technology as a virtual library.

“(3) The Center shall be granted access to the data, archives, talent and physical capability of all Federal agencies to enable the development of global environmental indicators.

“(4) The Center shall perform such other missions as the Secretary of Defense may specify.

“(c) JOINT OPERATION WITH EDUCATIONAL INSTITUTION AUTHORIZED.—The Secretary of Defense may enter into an agreement with appropriate officials of an institution of higher education to provide for operation of the Center. Any such agreement shall provide for the institution to furnish necessary administrative services for the Center, including administration and allocation of funds.

“(d) ACCEPTANCE OF DONATIONS.—

“(1) Except as provided in paragraph (2), the Secretary of Defense may accept, on behalf of the Center, donations to be used to defray the costs of the Center or to enhance the operation of the Center. Such donations may be accepted from any agency of the Federal Government, any State or local government, any foreign government, any foundation or other charitable organization (including any that is organized or operates under the laws of a foreign country), or any other private source in the United States or a foreign country.

“(2) The Secretary may not accept a donation under paragraph (1) if the acceptance of the donation would compromise or appear to compromise—

“(A) the ability of the Department of Defense, any employee of the Department, or members of the armed forces, to carry out any responsibility or duty of the Department in a fair and objective manner; or

“(B) the integrity of any program of the Department of Defense or of any person involved in such a program.

“(3) The Secretary shall prescribe written guidance setting forth the criteria to be used in determining whether or not the acceptance of a foreign donation would have a result described in paragraph (2).

“(4) Funds accepted by the Secretary under paragraph (1) as a donation on behalf of the Center shall be credited to appropriations available to the Department of Defense for the Center. Funds so credited shall be merged with the appropriations to which credited and shall be available for the Center for the same purposes and the same period as the appropriations with which merged.”.

(2) CONFORMING AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 182 the following new item:

“182a. Center for Excellence in Environmental Security”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Of the amount authorized to be appropriated for the Department of Defense for research and operation and maintenance, Defense-wide, the following shall be available for the operation of the Center for Excellence in Environmental Security established under section 182a of title 10, United States Code, as added by subsection (a):

(1) \$12,000,000 for fiscal year 2023.

(2) \$15,000,000 for fiscal year 2024.

(3) \$15,000,000 for fiscal year 2025.

SA 5511. Mr. CASSIDY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title _____, insert the following:

SEC. _____. COLLECTION, VERIFICATION, AND DISCLOSURE OF INFORMATION BY ONLINE MARKETPLACES TO INFORM CONSUMERS.

(a) COLLECTION AND VERIFICATION OF INFORMATION.—

(1) COLLECTION.—

(A) IN GENERAL.—An online marketplace shall require any high-volume third party seller on such online marketplace's platform to provide, not later than 10 days after qualifying as a high-volume third party seller on the platform, the following information to the online marketplace:

(i) BANK ACCOUNT.—

(I) IN GENERAL.—A bank account number, or, if such seller does not have a bank account, the name of the payee for payments issued by the online marketplace to such seller.

(II) PROVISION OF INFORMATION.—The bank account or payee information required under subclause (I) may be provided by the seller in the following ways:

(aa) To the online marketplace.

(bb) To a payment processor or other third party contracted by the online marketplace to maintain such information, provided that the online marketplace ensures that it can obtain such information within 3 business days from such payment processor or other third party.

(ii) CONTACT INFORMATION.—Contact information for such seller as follows:

(I) With respect to a high-volume third party seller that is an individual, the individual's name.

(II) With respect to a high-volume third party seller that is not an individual, one of the following forms of contact information:

(aa) A copy of a valid government-issued identification for an individual acting on behalf of such seller that includes the individual's name.

(bb) A copy of a valid government-issued record or tax document that includes the business name and physical address of such seller.

(iii) TAX ID.—A business tax identification number, or, if such seller does not have a business tax identification number, a taxpayer identification number.

(iv) WORKING EMAIL AND PHONE NUMBER.—A current working email address and phone number for such seller.

(B) NOTIFICATION OF CHANGE; ANNUAL CERTIFICATION.—An online marketplace shall—

(i) periodically, but not less than annually, notify any high-volume third party seller on such online marketplace's platform of the requirement to keep any information collected under subparagraph (A) current; and

(ii) require any high-volume third party seller on such online marketplace's platform to, not later than 10 days after receiving the

notice under clause (i), electronically certify that—

(I) the seller has provided any changes to such information to the online marketplace, if any such changes have occurred; or

(II) there have been no changes to such seller's information.

(C) SUSPENSION.—In the event that a high-volume third party seller does not provide the information or certification required under this paragraph, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to provide such information or certification not later than 10 days after the issuance of such notice, suspend any future sales activity of such seller until such seller provides such information or certification.

(2) VERIFICATION.—

(A) IN GENERAL.—An online marketplace shall—

(i) verify the information collected under paragraph (1)(A) not later than 10 days after such collection; and

(ii) verify any change to such information not later than 10 days after being notified of such change by a high-volume third party seller under paragraph (1)(B).

(B) PRESUMPTION OF VERIFICATION.—In the case of a high-volume third party seller that provides a copy of a valid government-issued tax document, any information contained in such document shall be presumed to be verified as of the date of issuance of such document.

(3) DATA USE LIMITATION.—Data collected solely to comply with the requirements of this section may not be used for any other purpose unless required by law.

(4) DATA SECURITY REQUIREMENT.—An online marketplace shall implement and maintain reasonable security procedures and practices, including administrative, physical, and technical safeguards that are appropriate to the nature of the data and the purposes for which the data will be used, to protect the data collected to comply with the requirements of this section from unauthorized use, disclosure, access, destruction, or modification.

(b) DISCLOSURE REQUIRED.—

(1) REQUIREMENT.—

(A) IN GENERAL.—An online marketplace shall—

(i) require any high-volume third party seller with an aggregate total of \$20,000 or more in annual gross revenues on such online marketplace, and that uses such online marketplace's platform, to provide the information described in subparagraph (B) to the online marketplace; and

(ii) disclose to consumers the information described in subparagraph (B) in a clear and conspicuous manner—

(I) on the product listing page (including via hyperlink); or

(II) in the order confirmation message or other document or communication made to the consumer after the purchase is finalized and in the consumer's account transaction history.

(B) INFORMATION DESCRIBED.—The information described in this subparagraph is the following:

(i) Subject to paragraph (2), the identity of the high-volume third party seller, including—

(I) the full name of the seller, which may include the seller name or seller's company name, or the name by which the seller or company operates on the online marketplace;

(II) the physical address of the seller; and

(III) contact information for the seller, to allow for the direct, unhindered communication with high-volume third party sellers by users of the online marketplace, including—

(aa) a current working phone number;

(bb) a current working email address; or
 (cc) other means of direct electronic messaging (which may be provided to such seller by the online marketplace), provided that the requirements of this item shall not prevent an online marketplace from monitoring communications between high-volume third party sellers and users of the online marketplace for fraud, abuse, or spam.

(ii) Whether the high-volume third party seller used a different seller to supply the consumer product to the consumer upon purchase, and, upon the request of an authenticated purchaser, the information described in clause (i) relating to any such seller that supplied the consumer product to the purchaser, if such seller is different than the high-volume third party seller listed on the product listing prior to purchase.

(2) EXCEPTION.—

(A) IN GENERAL.—Subject to subparagraph (B), upon the request of a high-volume third party seller, an online marketplace may provide for partial disclosure of the identity information required under paragraph (1)(B)(i) in the following situations:

(i) If such seller certifies to the online marketplace that the seller does not have a business address and only has a residential street address, or has a combined business and residential address, the online marketplace may—

(I) disclose only the country and, if applicable, the State in which such seller resides; and

(II) inform consumers that there is no business address available for the seller and that consumer inquiries should be submitted to the seller by phone, email, or other means of electronic messaging provided to such seller by the online marketplace.

(ii) If such seller certifies to the online marketplace that the seller is a business that has a physical address for product returns, the online marketplace may disclose the seller's physical address for product returns.

(iii) If such seller certifies to the online marketplace that the seller does not have a phone number other than a personal phone number, the online marketplace shall inform consumers that there is no phone number available for the seller and that consumer inquiries should be submitted to the seller's email address or other means of electronic messaging provided to such seller by the online marketplace.

(B) LIMITATION ON EXCEPTION.—If an online marketplace becomes aware that a high-volume third party seller has made a false representation to the online marketplace in order to justify the provision of a partial disclosure under subparagraph (A) or that a high-volume third party seller who has requested and received a provision for a partial disclosure under subparagraph (A) has not provided responsive answers within a reasonable time frame to consumer inquiries submitted to the seller by phone, email, or other means of electronic messaging provided to such seller by the online marketplace, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to respond not later than 10 days after the issuance of such notice, suspend any future sales activity of such seller unless such seller consents to the disclosure of the identity information required under paragraph (1)(B)(i).

(3) REPORTING MECHANISM.—An online marketplace shall disclose to consumers in a clear and conspicuous manner on the product listing of any high-volume third party seller a reporting mechanism that allows for electronic and telephonic reporting of suspicious marketplace activity to the online marketplace.

(4) COMPLIANCE.—If a high-volume third party seller does not comply with the requirements to provide and disclose information under this subsection, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to provide or disclose such information not later than 10 days after the issuance of such notice, suspend any future sales activity of such seller until the seller complies with such requirements.

(C) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—

(1) UNFAIR AND DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) or (b) by an online marketplace shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF THE COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce subsections (a) and (b) in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person that violates subsection (a) or (b) shall be subject to the penalties, and entitled to the privileges and immunities, provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(3) REGULATIONS.—The Commission may promulgate regulations under section 553 of title 5, United States Code, with respect to the collection, verification, or disclosure of information under this section, provided that such regulations are limited to what is necessary to collect, verify, and disclose such information.

(4) AUTHORITY PRESERVED.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(D) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—

(1) IN GENERAL.—If the attorney general of a State has reason to believe that any online marketplace has violated or is violating this section or a regulation promulgated under this section that affects one or more residents of that State, the attorney general of the State may bring a civil action in any appropriate district court of the United States, to—

(A) enjoin further such violation by the defendant;

(B) enforce compliance with this section or such regulation;

(C) obtain civil penalties in the amount provided for under subsection (c);

(D) obtain other remedies permitted under State law; and

(E) obtain damages, restitution, or other compensation on behalf of residents of the State.

(2) NOTICE.—The attorney general of a State shall provide prior written notice of any action under paragraph (1) to the Commission and provide the Commission with a copy of the complaint in the action, except in any case in which such prior notice is not feasible, in which case the attorney general shall serve such notice immediately upon instituting such action.

(3) INTERVENTION BY THE COMMISSION.—Upon receiving notice under paragraph (2), the Commission shall have the right—

(A) to intervene in the action;

(B) upon so intervening, to be heard on all matters arising therein; and

(C) to file petitions for appeal.

(4) LIMITATION ON STATE ACTION WHILE FEDERAL ACTION IS PENDING.—If the Commission has instituted a civil action for violation of

this section or a regulation promulgated under this section, no State attorney general, or official or agency of a State, may bring a separate action under paragraph (1) during the pendency of that action against any defendant named in the complaint of the Commission for any violation of this section or a regulation promulgated under this section that is alleged in the complaint. A State attorney general, or official or agency of a State, may join a civil action for a violation of this section or regulation promulgated under this section filed by the Commission.

(5) RULE OF CONSTRUCTION.—For purposes of bringing a civil action under paragraph (1), nothing in this section shall be construed to prevent the chief law enforcement officer or official or agency of a State, from exercising the powers conferred on such chief law enforcement officer or official or agency of a State, by the laws of the State to conduct investigations, administer oaths or affirmations, or compel the attendance of witnesses or the production of documentary and other evidence.

(6) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other officer of a State who is authorized by the State to do so, except for any private person on behalf of the State attorney general, may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

(e) SEVERABILITY.—If any provision of this section, or the application thereof to any person or circumstance, is held invalid, the remainder of this section and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected by the invalidation.

(f) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Trade Commission.

(2) CONSUMER PRODUCT.—The term “consumer product” has the meaning given such term in section 101 of the Magnuson-Moss Warranty—Federal Trade Commission Improvement Act (15 U.S.C. 2301) and section 700.1 of title 16, Code of Federal Regulations.

(3) HIGH-VOLUME THIRD PARTY SELLER.—

(A) IN GENERAL.—The term “high-volume third party seller” means a participant on an online marketplace's platform who is a third party seller and, in any continuous 12-month period during the previous 24 months, has entered into 200 or more discrete sales or transactions of new or unused consumer products and an aggregate total of \$5,000 or more in gross revenues.

(B) CLARIFICATION.—For purposes of calculating the number of discrete sales or transactions or the aggregate gross revenues under subparagraph (A), an online marketplace shall only be required to count sales or transactions made through the online marketplace and for which payment was processed by the online marketplace, either directly or through its payment processor.

(4) ONLINE MARKETPLACE.—The term “online marketplace” means any person or entity that operates a consumer-directed electronically based or accessed platform that—

(A) includes features that allow for, facilitate, or enable third party sellers to engage in the sale, purchase, payment, storage, shipping, or delivery of a consumer product in the United States;

(B) is used by one or more third party sellers for such purposes; and

(C) has a contractual or similar relationship with consumers governing their use of the platform to purchase consumer products.

(5) SELLER.—The term “seller” means a person who sells, offers to sell, or contracts to sell a consumer product through an online marketplace’s platform.

(6) THIRD PARTY SELLER.—

(A) IN GENERAL.—The term “third party seller” means any seller, independent of an online marketplace, who sells, offers to sell, or contracts to sell a consumer product in the United States through such online marketplace’s platform.

(B) EXCLUSIONS.—The term “third party seller” does not include, with respect to an online marketplace—

(i) a seller who operates the online marketplace’s platform; or

(ii) a business entity that has—

(I) made available to the general public the entity’s name, business address, and working contact information;

(II) an ongoing contractual relationship with the online marketplace to provide the online marketplace with the manufacture, distribution, wholesaling, or fulfillment of shipments of consumer products; and

(III) provided to the online marketplace identifying information, as described in subsection (a), that has been verified in accordance with that subsection.

(7) VERIFY.—The term “verify” means to confirm information provided to an online marketplace pursuant to this section, which may include the use of one or more methods that enable the online marketplace to reliably determine that any information and documents provided are valid, corresponding to the seller or an individual acting on the seller’s behalf, not misappropriated, and not falsified.

(g) RELATIONSHIP TO STATE LAWS.—No State or political subdivision of a State, or territory of the United States, may establish or continue in effect any law, regulation, rule, requirement, or standard that conflicts with the requirements of this section.

(h) EFFECTIVE DATE.—This section shall take effect 180 days after the date of the enactment of this section.

(i) SHORT TITLE.—This section may be cited as the “Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act” or the “INFORM Consumers Act”.

SA 5512. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 144. SENSE OF CONGRESS REGARDING THE REFUELING MISSION OF THE RESERVE COMPONENTS OF THE AIR FORCE.

It is the sense of Congress that—

(1) the refueling mission of the reserve components of the Air Force is essential to ensuring the national security of the United States and allies of the United States;

(2) that mission provides for aerial aircraft refueling essential to extending the range of aircraft, which is a critical capability when facing the current threats abroad; and

(3) the Air Force should ensure any plan to retire KC-135 aircraft includes equal replacement with KC-46A aircraft.

SA 5513. Mr. TOOMEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1239. E-3 VISAS FOR IRISH NATIONALS.

(a) IN GENERAL.—Section 101(a)(15)(E)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)(iii)) is amended by inserting “or, on a basis of reciprocity as determined by the Secretary of State, a national of Ireland,” after “Australia”.

(b) EMPLOYER REQUIREMENTS.—Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended—

(1) by redesignating the second subsection (t) (as added by section 1(b)(2)(B) of Public Law 108–449 (118 Stat. 3470)) as subsection (u); and

(2) by adding at the end of subsection (t)(1) (as added by section 402(b)(2) of Public Law 108–77 (117 Stat. 941)) the following:

“(E) In the case of an attestation filed with respect to a national of Ireland described in section 101(a)(15)(E)(iii), the employer is, and will remain during the period of authorized employment of such Irish national, a participant in good standing in the E-Verify program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).”.

(c) APPLICATION ALLOCATION.—Section 214(g)(11) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(11)) is amended to read as follows:

“(11)(A) The Secretary of State may approve initial applications submitted for aliens described in section 101(a)(15)(E)(iii) only as follows:

“(i) For applicants who are nationals of the Commonwealth of Australia, not more than 10,500 for a fiscal year.

“(ii) For applicants who are nationals of Ireland, not more than a number equal to the difference between 10,500 and the number of applications approved in the prior fiscal year for aliens who are nationals of the Commonwealth of Australia.

“(B) The approval of an application described under subparagraph (A)(ii) shall be deemed for numerical control purposes to have occurred on September 30 of the prior fiscal year.

“(C) The numerical limitation under subparagraph (A) shall only apply to principal aliens and not to the spouses or children of such aliens.”.

SA 5514. Mr. TOOMEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense ac-

tivities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1239. ELIGIBILITY OF PORTUGUESE TRADERS AND INVESTORS FOR E-1 AND E-2 NONIMMIGRANT VISAS.

(a) SHORT TITLES.—This Act may be cited as the “Advancing Mutual Interests and Growing Our Success Act” or the “AMIGOS Act”.

(b) NONIMMIGRANT TRADERS AND INVESTORS.—For purposes of clauses (i) and (ii) of section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), Portugal shall be considered to be a foreign state described in such section if the Government of Portugal provides similar non-immigrant status to nationals of the United States.

(c) MODIFICATION OF ELIGIBILITY CRITERIA FOR E VISAS.—Section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)) is amended—

(1) in the matter preceding clause (i)—

(A) by inserting “(or, in the case of an alien who acquired the relevant nationality through a financial investment and who has not previously been granted status under this subparagraph, the foreign state of which the alien is a national and in which the alien has been domiciled for a continuous period of not less than 3 years at any point before applying for a nonimmigrant visa under this subparagraph)” before “, and the spouse”; and

(B) by striking “him” and inserting “such alien”; and

(2) by striking “he” each place such term appears and inserting “the alien”.

SA 5515. Mr. BLUNT (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 875. PRODUCTION OF COMMERCIAL AMMUNITION AT ELIGIBLE FACILITIES.

The Secretary of the Army shall permit a contractor for an eligible facility (as defined in section 7551 of title 10, United States Code) to produce ammunition for commercial sale if the contractor is able to meet Department of Defense ammunition requirements while producing commercial ammunition. The Secretary of the Army may not restrict the ability of such a contractor to produce ammunition for commercial sale unless such restriction is necessary to meet surge capacity and readiness requirements for the Department of Defense.

SA 5516. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities

of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . STE. GENEVIEVE NATIONAL HISTORICAL PARK BOUNDARY REVISION.

(a) MAP.—Section 7134(a)(3) of appendix B of the Consolidated Appropriations Act, 2018 (16 U.S.C. 410xxx(a)(3)), is amended by striking “numbered 571/149,942, and dated December 2018” and inserting “numbered 571/177,464, and dated September 2021”.

(b) AUTHORITY TO CORRECT ERRORS IN MAP.—Section 7134(d) of appendix B of the Consolidated Appropriations Act, 2018 (16 U.S.C. 410xxx(d)), is amended—

(1) by striking “The Map” and inserting the following:

“(1) IN GENERAL.—The Map”; and

(2) by adding at the end the following:

“(2) AUTHORITY TO CORRECT ERRORS.—The Secretary may correct any clerical or typographical errors in the Map.”

(c) VISITOR CENTER AND ADMINISTRATIVE FACILITIES.—Section 7134(e) of appendix B of the Consolidated Appropriations Act, 2018 (16 U.S.C. 410xxx(e)), is amended by adding at the end the following:

“(3) VISITOR CENTER.—The Secretary—

“(A) may acquire, by donation, the land (including any improvements to the land) owned by the city of Ste. Genevieve, Missouri, and used as the visitor center for the Historical Park, as generally depicted on the Map as ‘Proposed Boundary Addition’; and

“(B) on acquisition of the land described in subparagraph (A), shall revise the boundary of the Historical Park to include the acquired land.

“(4) ADMINISTRATIVE FACILITIES.—The Secretary of the Interior (referred to in this section as the ‘Secretary’) may acquire, by purchase from a willing seller or by donation, not more than 20 acres of land in the vicinity of the Historical Park for administrative facilities for the Historical Park.”

SA 5517. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . WILSON'S CREEK NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.

Section 1(b) Public Law 86-434 (16 U.S.C. 430kk(b)) is amended—

(1) in paragraph (1)—

(A) in the second sentence, by striking “The map” and inserting the following:

“(C) AVAILABILITY OF MAPS.—The maps described in subparagraphs (A) and (B);”

(B) by striking “(1) The boundaries” and inserting the following:

“(1) ADDITIONAL LAND.—

“(A) IN GENERAL.—The boundaries”; and

(C) by inserting after subparagraph (A) (as so designated) the following:

“(B) NEWTONIA BATTLEFIELD ADDITION.—The boundary of the Wilson's Creek National

Battlefield is revised to include the approximately 25 acres of land identified as ‘Proposed Addition’ on the map entitled ‘Wilson's Creek National Battlefield Proposed Boundary Modification’, numbered 410/177,379, and dated July 2022.”; and

(D) by adding at the end the following:

“(D) ERRORS.—The Secretary of the Interior may correct any clerical or typographical error in a map described in subparagraph (A) or (B).”; and

(2) in paragraph (2)—

(A) by striking “(2) The Secretary is authorized to acquire the lands referred to in paragraph (1)” and inserting the following:

“(2) METHOD OF ACQUISITION.—The Secretary of the Interior may acquire the land described in subparagraphs (A) and (B) of paragraph (1).”; and

(B) in the second sentence, by striking “park” and inserting “Wilson's Creek National Battlefield”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CARPER. Mr. President, I have six requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, September 20, 2022, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, September 20, 2022, at 9 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, September 20, 2022, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON COMPETITION POLICY, ANTITRUST, AND CONSUMER RIGHTS

The Subcommittee on Competition Policy, Antitrust, and Consumer Rights of the Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, September 20, 2022, at 3 p.m., to conduct a hearing.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

The Subcommittee on Housing, Transportation, and Community Development of the Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, September 20, 2022, at 2:30 p.m., to conduct a hearing.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday,

September 20, 2022, at 2:30 p.m., to conduct a hearing.

IMPROVING MEDICARE PATIENTS WITH RNHCI OPTIONS TO VACCINATE EASILY ACT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 4899, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 4899) to amend title XVIII of the Social Security Act to remedy election revocations relating to administration of COVID-19 vaccines.

There being no objection, the Senate proceeded to consider the bill.

Mr. DURBIN. I further ask that the bill be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. DURBIN. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 4899) was passed as follows:

S. 4899

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Improving Medicare Patients with RNHCI Options to Vaccinate Easily Act” or the “IMPROVE Act”.

SEC. 2. REMEDYING ELECTION REVOCATIONS RELATING TO ADMINISTRATION OF COVID-19 VACCINES.

(a) IN GENERAL.—Section 1821(b)(5)(A) of the Social Security Act (42 U.S.C. 1395i-5(b)(5)(A)) is amended—

(1) in clause (i), by striking “or” or at the end;

(2) in clause (ii), by striking the period at the end and inserting “, or”; and

(3) by adding at the end the following new clause:

“(iii) effective beginning on the date of the enactment of this clause, that is a COVID-19 vaccine and its administration described in section 1861(s)(10)(A).”

(b) SPECIAL RULES FOR COVID-19 VACCINES RELATING TO REVOCATION OF ELECTION.—Notwithstanding paragraphs (3) and (4) of section 1821(b) of the Social Security Act (42 U.S.C. 1395i-5(b)), in the case of an individual with a revocation of an election under such section prior to the date of enactment of this Act by reason of receiving a COVID-19 vaccine and its administration described in section 1861(s)(10)(A) of such Act (42 U.S.C. 1395x(s)(10)(A)), the following rules shall apply:

(1) Beginning on such date of enactment, such individual may make an election under such section, which shall take effect immediately upon its execution, if such individual would be eligible to make such an election if they had not received such COVID-19 vaccine and its administration.

(2) Such revoked election shall not be taken into account for purposes of determining the effective date for an election described in subparagraph (A) or (B) of such paragraph (4).